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October 28, 2019

VIA CM/ECF

Hon. J. Paul Oetken
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Stourbridge Investments LLC v. Callen, et al.*, Case No. 1:18-cv-07638-JPO

Dear Judge Oetken:

Lifshitz & Miller LLP represents Plaintiff Stourbridge Investments LLC (“Plaintiff”) and Bryan Cave Leighton Paisner LLP represents Omega Healthcare Investors, Inc. (“Omega”) and Craig R. Callen, Kapila K. Anand, Craig M. Bernfield, Norman R. Bobins, Barbara B. Hill, Edward Lowenthal, Ben W. Perks, C. Taylor Pickett, Stephen D. Plavin, Robert O. Stephenson, and Daniel J. Booth (collectively, “Individual Defendants” and together with Omega, “Defendants”) (Plaintiffs and Defendants are collectively referred to herein as the “Parties”) in the above-referenced action.

On October 24, 2018, the Parties filed a Proposed Stipulation and Order Staying the Case, including any obligation to respond to the complaint or any amended complaints and all discovery and disclosure obligations, until 30 days after the entry of judgment or a voluntary dismissal with prejudice of *In re Omega Healthcare Investors, Inc. Securities Litigation*, Case No. 1:17-cv-08983-NRB (S.D.N.Y.) (“Federal Securities Litigation”), a related case which was pending before Judge Naomi Reice Buchwald. (Dkt. No. 4.) On October 25, 2018, Your Honor approved and So Ordered the Stipulation and Order Staying the Case, and requested a status letter on or before February 25, 2019. (Dkt. No. 5.)

On February 25, 2019, the Parties reported that the Federal Securities Litigation was still pending before Judge Buchwald, that Omega and the individual defendants involved in that case filed a motion to dismiss, and that oral argument on that motion was heard on February 13, 2019. (Dkt. No. 6.) On February 26, 2019, Your Honor requested a joint status update on or before June 26, 2019. (Dkt. No. 7.)

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On June 26, 2019, the Parties reported that Judge Buchwald had dismissed the Federal Securities Litigation with prejudice, that the case was closed on March 27, 2019, and that the plaintiffs in the Federal Securities Litigation had filed a Notice of Appeal with the United States Court of Appeals for the Second Circuit. (Dkt. No. 8). On June 27, 2019, Your Honor requested a joint status update on or before October 28, 2019. (Dkt. No. 9.)

The Parties hereby report that briefing for the appeal was completed on July 29, 2019 and that oral argument on the appeal is currently scheduled for November 13, 2019.

The Parties respectfully request that this case remain stayed, as originally requested. Counsel for the Parties are available to answer any questions that Your Honor may have.

Respectfully submitted,

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